

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, JUNE 26, 2014**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Paul Alpert, Peter Oehlkers, Sharon Soltzberg, Matt Varrell (Conservation Director), Debbie Anderson (Conservation Specialist)

GUESTS: Jim Bolduc, Daniel Callahan, Anna Connelly, Anthony DelGaizo, David Ecsedy, Michael Figueroa, Richard Merson, Charles Peabody, John Rockwood, Nick Rosenberg, Thomas Ryder, Jack Sullivan, Claudia Yapp, Martin Yapp

L. Standley opened the public meeting at 7:37pm.

MINUTES

Motion to postpone approval of the Minutes of June 12, 2014 by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

ENFORCEMENTS

Babson College - 0 Map Hill Road/0 Forest Street

M. Varrell stated that the enforcement issue related to an illicit floor drain connection discussed during the Commission's site visits is located in the Town of Wellesley. The Commission was in agreement that no action is warranted.

62 Brookside Road

M. Varrell stated that the Commission had received a letter from John Rockwood of EcoTec, on behalf of the homeowner, requesting additional time to file the required Notice of Intent application. The Commission agreed to allow the Notice of Intent filing deadline to be extended until July 24, 2014.

Motion to delay the issuance of Enforcement Action until the July 24, 2014 Conservation Meeting by P. Alpert, seconded by S. Soltzberg, approved 4-0-0.

HEARINGS

28 ROBINWOOD AVENUE (DEP FILE #234-714) – REQUEST FOR AMENDED ORDER OF CONDITIONS

L. Standley opened the public hearing at 7:45 p.m. L. Standley stated the request to amend the Order of Conditions was in reference to proposed changes to the wetland delineation. J. Rockwood of EcoTec represented the Applicant. J. Rockwood explained he was contacted by a potential purchaser of 28 Robinwood Avenue to review the wetland resources located on the property. The existing wetland line was approved by the Commission as part of the original Order of Conditions (DEP File #234-714). J. Rockwood noted that portions of the wetland located on the site are within lawn area and had previously been delineated by Karon Skinner Catrone. J. Rockwood stated that he performed numerous soil borings within the lawn area and, based on the soil profiles, the wetland area delineated by Ms. Catrone was only partially correct.

J. Rockwood was retained by the potential purchaser to re-delineate the wetland based on his soil boring interpretations. M. Varrell and D. Anderson met J. Rockwood at the property and observed J. Rockwood perform several soil borings. They concurred with J. Rockwood's assessment of the amended wetland

delineation location. In addition, a modified mitigation planting plan was based on the revised wetland boundary and appropriate plant choices for the site conditions. Five permanent bounds are proposed to demarcate the boundary of the wetlands. J. Rockwood stated the existing shed will be removed, including the concrete foundation. The area of the foundation removal will be restored to wetland through the placement of appropriate soils and plantings.

An abutter, Claudia Yapp, of 35 Robinwood Avenue, expressed her concern about the construction of a large house on the property. L. Standley explained the purpose of this hearing is to review modification of the wetlands delineation and noted the proposed project had been approved at a prior hearing. J. Rockwood described his scientific basis for the revisions to the wetland delineation. L. Standley clarified that soil properties change over an extended period of time and the regulations require the documentation of conditions at a single point in time.

An abutter, Daniel Callahan, of 24 Robinwood Avenue, voiced his concern regarding any proposed “filling in” of the wetlands and the resulting displacement of water onto his property. L. Standley reminded the audience that the purpose of this hearing is to approve a revised wetland delineation line. Any proposed filling of wetlands would have to come before the Commission.

An abutter, Anna Connelly, of 36 Robinwood Avenue, stated that she believed the wetlands had previously been overstated and she does not see this proposed revision of the approved wetland delineation as a problem. The potential purchaser’s attorney, Nick Rosenberg, addressed the abutters to clarify the future owner’s plans for the property, stating the potential purchaser does not intend to develop the wetland area and is in fact installing wetland plantings in an attempt to improve the health of the wetland.

Motion to close the Public Hearing for 28 Robinwood Avenue (DEP File #234-714) by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

Motion to issue an amended Order of Conditions for 28 Robinwood Avenue (DEP File #234-714) by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

0 CHARLES RIVER STREET (BELLE LANE) – ALGONQUIN GAS – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley recused herself from the hearing. P. Alpert opened the public hearing at 8:00 p.m. Jim Bolduc of TRC Environmental represented the Applicant. He explained the proposed project consists of installation of an approximately 2,100 linear foot cathodic anode system. The proposed project will be located in the existing Algonquin Gas easement. An excavator will dig a trench 5-feet deep by 2-feet wide within a 10-foot temporary work area, the anode will be placed, and the trench will be backfilled. J. Bolduc stated that portions of the proposed work will take place within 100-feet of a vernal pool. P. Alpert noted that approximately 232 linear feet of the 2,100 linear feet of work is in the Commission’s jurisdiction. M. Varrell questioned what type of erosion control is proposed. J. Bolduc replied silt socks would be installed. M. Varrell questioned whether any time-of-year restrictions would be applicable to this project due to the vernal pool proximity. P. Alpert stated these restrictions would not be applicable. M. Varrell noted that the vernal pool is mainly dry at this point in the season.

Motion to close the Public Hearing for 0 Charles River Street by S. Soltzberg, seconded by P. Oehlkers, approved 3-0-1.

Motion to issue a Negative Determination of Applicability for 0 Charles River Street (Belle Lane) by S. Soltzberg, seconded by P. Oehlkers, approved 3-0-1.

57 MARY CHILTON ROAD – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:15 p.m. The homeowner, Michael Figueroa, was present. M. Figueroa stated that they are doing interior home renovations and are requesting the removal of an existing deck and the replacement with a small landing. The portion of property where the deck will be removed will be planted with grass or native groundcover. M. Varrell explained that Conservation staff had visited the property and he had met with M. Figueroa early in the process. M. Varrell pointed out to the Commission that the Applicant had installed tarps on the slope adjacent to the wetland to control an infestation of Japanese knotweed. M. Figueroa noted that indigenous species have previously repopulated the slope when the knotweed is controlled.

L. Standley asked M. Figueroa if he would like to amend his request to include his invasive species control program. M. Figueroa responded in the affirmative. S. Soltzberg asked if the Applicant thought the indigenous species would come back. L. Standley clarified that the removal of the knotweed is done by hand, the tarps then cover the area and if M. Figueroa anticipates an extensive planting plan for the slope, he would need approval from the Commission. P. Alpert clarified the approval is only for the knotweed in the Buffer Zone and does not include removal in the Bordering Vegetated Wetland.

Motion to close the Public Hearing for 57 Mary Chilton Road by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

Motion to issue a Negative Determination of Applicability for 57 Mary Chilton Road by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

56 & 60 LANTERN LANE – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:30 p.m. Tom Ryder, Assistant Town Engineer, Tony DelGaizo, Town Engineer, and Rick Merson, DPW Director represented the Town of Needham. T. DelGaizo explained an existing drainage problem on land between 56 & 60 Lantern Lane. An existing catch basin located at the edge of the lawn is not sufficiently collecting surface water flows during storm events, resulting in overflow to the Lantern Lane cul-de-sac. The Town is proposing to install an additional catch basin with a double grate in the lawn to capture as much of the overflow as possible. The catch basin will tie into the existing drainage pipe system.

P. Oehlkers questioned the proposed location of the catch basin in relation to the existing trees. T. DelGaizo stated they had chosen this location because there are no roots and it is beyond the tree canopy. L. Standley asked if a swale would need to be excavated. T. DelGaizo noted a natural swale exists.

Stuart Schwartz of 56 Lantern Lane asked if the purpose of the additional catch basin is to capture more runoff. T. DelGaizo stated the proposed catch basin will pick up more runoff but not completely alleviate the drainage problem on the Tocci property.

Motion to close the Public Hearing for 56 & 60 Lantern Lane by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

Motion to issue a Negative Determination of Applicability for 56 & 60 Lantern Lane by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

1407 CENTRAL AVENUE – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:40 p.m. L. Standley stated the hearing is for proposed work at the Town of Needham Recycling and Composting Facility. T. DelGaizo, Town Engineer, represented the Town of Needham. T. DelGaizo stated this project is related to the proposed solar array project at the landfill. T. DelGaizo reviewed the existing conditions at the site. He described the drainage from the site

ends up in a stream, including any sediment from the compost area activities. The Town is proposing to install jersey barriers around the perimeter of the compost handling area to define a boundary for the work zone.

In addition, the Town is proposing the installation of a sediment basin which would take the flow from the compost handling area to provide treatment prior to discharge to the stream. The proposed basin would be a temporary solution and, in the future, the basin would need to be larger and engineered differently. Also proposed is the installation of a stone pad area beneath the compost area to provide a solid base for operations and provide a staging area for the solar array project. Haybales and silt fence are proposed for the basin construction.

L. Standley noted that the Commission had already approved the use of the staging area. L. Standley stated the Commission is in favor of the installation of the jersey barriers but pointed out that the grading plan shows them installed on the slope. They should be installed at the top of the slope.

L. Standley explained that the proposed temporary basin is difficult to permit under an RDA because of the amount of ground disturbance and lack of detail in the design of the basin. L. Standley asked for clarification on several issues related to the design and construction methodology. T. DelGaizo responded with additional detail on various issues. P. Alpert reiterated that this portion of the project may need the submittal of a Notice of Intent Application. L. Standley agreed.

Motion to close the Public Hearing for 1407 Central Avenue by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

Motion to issue a combination of Positive Determination of Applicability for construction of the stormwater basin and Negative Determination of Applicability for the remainder of the project at 1407 Central Avenue by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

OTHER BUSINESS

6-8 BIRCH STREET (DEP FILE #234-697) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Jack Sullivan represented the Applicant, North Shore Construction. He noted that Conservation staff had been to the site and had requested portions of failed sod be replaced, which has been done. J. Sullivan stated there were no discrepancies from the approved plan. M. Varrell stated that the sod had been replaced as requested and the only deviation from the approved plan was the installation of an additional tree.

Motion to issue a Certificate of Compliance for 6-8 Birch Street (DEP File #234-697) by S. Soltzberg, seconded by P. Oehlkers, approved 4-0-0.

Motion to adjourn the meeting by S. Soltzberg, seconded by P. Oehlkers approved 4-0-0.

The meeting was adjourned at 9:20pm.

NEXT PUBLIC HEARING

Thursday, July 10, 2014 at 7:30 PM in the Public Services Administration Building, Charles River Room.